

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS.

HILLSBOROUGH COUNTY SUPERIOR COURT - NORTH  
STATE OF NEW HAMPSHIRE

V.

ADAM MONTGOMERY

216-2022-CR-20

216-2022-CR-2372

**PROPOSED SCHEDULE FOR DEADLINES RE: CRIMINAL RECORDS**

NOW COMES the defendant, Adam Montgomery, by and through counsel, Caroline L. Smith, Esq., and James T. Brooks, Esq., and respectfully submits a proposed schedule regarding pleadings to be filed upon receipt of witness criminal records.

In support of this request, the following is stated:

1. On January 5, 2024, the defendant filed an agreed upon Motion to Extend Deadline to File Motions *in Limine* Regarding Prior Charges and Convictions of Witnesses.
2. That same day, the parties received this Court's order granting the motion in part and denying it in part. Pursuant to the order, the parties were to confer and create a schedule with deadlines for the State to provide the defense with criminal records of witnesses, a deadline for the defendant to file motions upon receipt of the records, and a deadline for the State's response. The schedule was to be filed on or before January 11, 2024.
3. On January 9, 2024, the State provided criminal records for sixty-five of its civilian witnesses. The records for five additional witnesses were provided the next day.
4. On January 11, 2024, defense counsel sent emails to the State advising that the defense would have a list of criminal records it would seek to introduce no later than Thursday, January 18, and provide the motion to this Court by Friday, January 19, 2024. Defense counsel inquired of the State when it would be able to respond. There has been no response to the query, so the following schedule is proposed:
  - a. Defendant's *Motion in Limine* regarding witness criminal records to be filed by January 19, 2024. Defendant anticipates filing one motion regarding admissible convictions for all witnesses rather than separate motions for each witness.

- b. State's response to Defendant's Motion *in Limine* regarding witness criminal records to be filed by January 23, 2024.

WHEREFORE, Adam Montgomery respectfully submits this proposed schedule and respectfully requests this Court accept this late filing.

Respectfully submitted,

/s/ Caroline L. Smith

---

Caroline L. Smith, Esq.  
N.H. Bar #5992  
N.H. Public Defender  
408 Union Avenue  
Laconia, NH 03246  
(603) 524-1831

/s/ James T. Brooks

---

James T. Brooks, Esq.  
NH Bar #14876  
NH Public Defender  
27 John Stark Highway  
Newport, NH 03773  
(603) 865-1460

**CERTIFICATE OF SERVICE:**

I hereby certify that a copy of this pleading has been forwarded to Senior Assistant Attorney General Benjamin J. Agati and Assistant Attorney General R. Christopher Knowles on this 14th day of January 2024.

/s/ Caroline L. Smith

---

Caroline L. Smith, Esq.